

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- against -

LENIN GUZMAN-HIDALGO,

Defendant.

18-cr-434-01 (JGK)

ORDER

JOHN G. KOELTL, District Judge:

The Court has received the attached motion for compassionate release from the defendant, which the Court interprets to be the defendant's reply in response to the Government's motion in opposition to the defendant's motion for compassionate release.

Chambers will mail a copy of this order to the pro se defendant at Lenin Guzman Hidalgo #85702054, MCC New York, 150 Park Row, New York, NY 10001.

SO ORDERED.

Dated: New York, New York
August 10, 2020

/s/ John G. Koeltl

John G. Koeltl
United States District Judge

TRULINCS 67173050 - STROUD, NATHANIEL - Unit: NYM-K-S

FROM: 67173050
TO: Blackington, Black
SUBJECT: Motion for Compassionate Release
DATE: 07/26/2020 01:24:59 PM

Lenin Guzman Hidalgo 85702054
Mcc New York
150 Park row
New York , New York 10007

docket# 18cr00434
Re Compassionate Release Motion PRO SE

Honorable Judge Koeltl

I Lenin Guzman Hidalgo am asking for compassionate release based upon the CoVid 19 pandemic. I am applying for compassionate release at this judicial level because my warden at MCC (MS Vitale) denied my request (enclosed on BP 9).I am requesting compassionate rease based upon various factors. Such as I am a low level, non violent offender, with verified reentry plans and strong family ties. Also an most importantly my health condition is the most compelling reason. My health condition is a persistent severe reoccurring Lung Infection . The symptoms of said lung infections include wheezing , coughing , mucus in my airways , and shortness of breath. As you can see that coupled with CoVid 19 this could be a potential death sentence for me .

I am currently being housed in a dorm setting where individuals are being tested and quarantined as of right now! For example an inmate named C Karimboux was tested on July 7 th and on the the thirteenth of July was found to be positive and asymptomatic this individual; slept roughly 5 feet away from me. This environment is extremely dangerous considering my health condition (which is documented from the BOP and enclosed with this motion). It is virtually impossible to practice social distancing when you live in a dorm, with twenty other people.

I have already served a significant portion of my sentence in a very difficult environment at MCC. I have been locked almost continually since February 27 th with a brief respite of 2 weeks .After that the lockdowns resumed on March the 22nd and have been in place ever since due to CoVid 19.

For the reason described above and the other pertinent information attached to this motion this court should immediately grant my motion for compassionate release.

Sincerely Yours

Lenin Guzman Hidalgo 85702054

July 23, 2020



U.S. DEPARTMENT OF JUSTICE
Federal Bureau of Prisons

K10

REQUEST FOR ADMINISTRATIVE REMEDY

SAFE

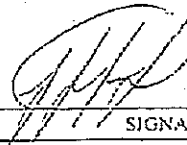
Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse.

From: Guzman Hidalgo Lerin 83702054 115 INCC
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A- INMATE REQUEST

I am requesting compassionate release based upon an ongoing illness (Lung Infections) documented on my medical records. I am sending a BPA because my BPA was not answered in the allotted time frame

7/15/20
DATE



SIGNATURE OF REQUESTER

Part B- RESPONSE

7/24/20
DATE

WARDEN OR REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the Regional Director. Your appeal must be received in the Regional Office within 20 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: 1035251-F1

CASE NUMBER: _____

Part C- RECEIPT

Return to: _____
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: _____

DATE



RECIPIENT'S SIGNATURE (STAFF MEMBER)

BP-228(13)
APRIL 1998

**Bureau of Prisons
Health Services
Clinical Encounter**

Inmate Name: GUZMAN-HIDALGO, LENIN	Sex: M	Race: WHITE	Reg #: 85702-054
Date of Birth: 03/28/1987	Provider: Singh, Mandeep PA-C	Facility: NYM	Unit: K12
Encounter Date: 03/30/2020 22:31			

Mid Level Provider - Evaluation encounter performed at Housing Unit.

SUBJECTIVE:

COMPLAINT 1 **Provider:** Singh, Mandeep PA-C

Chief Complaint: Cold or Flu Symptoms

Subjective: inmate c/o body ache, chills, headache ongoing for x4 days. Cough only lasted first two days.
neg sob, N/v/D, runny nose, sore throat, CP.

Pain: Not Applicable

OBJECTIVE:

Temperature:

<u>Date</u>	<u>Time</u>	<u>Fahrenheit</u>	<u>Celsius</u>	<u>Location</u>	<u>Provider</u>
03/30/2020	22:32 NYM	100.5	38.1	Tympanic	Singh, Mandeep PA-C

ASSESSMENT:

Acute upper respiratory infection, unspecified, J069 - Current

PLAN:

New Medication Orders:

<u>Rx#</u>	<u>Medication</u>	<u>Order Date</u>
	Acetaminophen 325 MG Tablet	03/30/2020 22:31
Prescriber Order: 650mg Orally every 8 hours PRN x 5 day(s) -- one packet of Tylenol given to this inmate. do not dispense.		
Indication: Acute upper respiratory infection, unspecified		

Disposition:

Follow-up at Sick Call as Needed
Return Immediately if Condition Worsens

Other:

rx Tylenol
fluids and rest.

Patient Education Topics:

<u>Date Initiated</u>	<u>Format</u>	<u>Handout/Topic</u>	<u>Provider</u>	<u>Outcome</u>
03/30/2020	Counseling	Access to Care	Singh, Mandeep	Verbalizes Understanding

Copay Required: No

Cosign Required: Yes

Telephone/Verbal Order: No

Completed by Singh, Mandeep PA-C on 03/30/2020 22:35

Requested to be cosigned by Beaudouin, Robert MD.

Cosign documentation will be displayed on the following page.

RESPONSE TO REQUEST FOR ADMINISTRATIVE REMEDY - PART B


Inmate Name: Guzman-Hildago, Lenin
Reg. No. 85702-054
Administrative Remedy Id.: 1035251-F1

This is in response to your Request for Administrative Remedy dated July 15, 2020, wherein you request to be considered for Compassionate Release.

A review of this matter revealed that you are not eligible for Compassionate Release consideration due to the nature of your offence. Please see the attached notification dated June 11, 2020.

Based on the above information, your request for relief is denied.

If you are dissatisfied with this response, you may appeal to the Regional Director, Northeast Region, Federal Bureau of Prisons, Northeast Regional Office, U.S. Customs House - 7th Floor, 2nd & Chestnut Streets, Philadelphia, PA 19106, within 20 calendar days of the date of this response.



M. Licon, Vitale, Warden

7/24/20

Date